

## IC ON THE RECORD



### **Clear and Present Danger: Cyber-Crime; Cyber-Espionage; Cyber-Terror; and Cyber-War**

**July 18, 2013**

Remarks by General Keith Alexander, Director, National Security Agency (NSA) and Commander, United States Cyber Command, at the Aspen Security Forum.

- - [#NSA](#)
  - [#Keith Alexander](#)
  - [#Section 702](#)
  - [#FISA](#)
  - [#Cybersecurity](#)
  - [#CIA](#)
  - [#FBI](#)
  - [#Edward Snowden](#)
  - [#video](#)
  - [#speeches and interviews](#)
- [7 months ago](#)
- [Permalink](#)

Share

Short URL

<http://tumblr.co/ZZQjsqs4>

[Twitter](#)[Facebook](#)[Pinterest](#)[Google+](#)



[Zoom](#) Info



[Zoom](#) [Info](#)

## Privacy, Technology & National Security

### An Overview of Intelligence Collection — Robert S. Litt, ODNI General Counsel

July 18, 2013

*Remarks as prepared for delivery to the Brookings Institution, Washington, DC.*

#### I. Introduction

I wish that I was here in happier times for the Intelligence Community. The last several weeks have seen a series of reckless disclosures of classified information about intelligence activities. These disclosures threaten to cause long-lasting and irreversible harm to our ability to identify and respond to the many threats facing our Nation. And because the disclosures were made by people who did not fully understand what they were talking about, they were sensationalized and led to mistaken and misleading impressions. I hope to be able to correct some of these misimpressions today.

My speech today is prompted by disclosures about two programs that collect valuable foreign intelligence that has protected our Nation and its allies: the bulk collection of telephony metadata, and the so-called "PRISM" program. Some people claim that these disclosures were a form of "whistleblowing." But let's be clear. These programs are not illegal. They are authorized by Congress and are carefully overseen by the Congressional intelligence and judiciary committees. They are conducted with the approval of the Foreign Intelligence Surveillance Court and under its supervision. And they are subject to extensive, court-ordered oversight by the Executive Branch. In short, all three branches of Government knew about these programs, approved them, and helped to ensure that they complied with the law. Only time will tell the full extent of the damage caused by the unlawful disclosures of these lawful programs.

Nevertheless, I fully appreciate that it's not enough for us simply to assert that our activities are consistent with the letter of the law. Our Government's activities must always reflect and reinforce our core democratic values. Those of us who work in the intelligence profession share these values, including the importance of privacy. But security and privacy are not zero-sum. We have an obligation to give full meaning to both: to protect security while at the same time protecting privacy and other constitutional rights. But although our values are enduring, the manner in which our activities reflect those values must necessarily adapt to changing societal expectations and norms. Thus, the Intelligence Community continually evaluates and improves the safeguards we have in place to protect privacy, while at the same time ensuring that we can carry out our mission of protecting national security.

So I'd like to do three things today. First, I'd like to discuss very briefly the laws that govern intelligence collection activities. Second, I want to talk about the effect of changing technology, and the corresponding need to adapt how we protect privacy, on those collection activities. And third, I want to bring these two strands together, to talk about how some of these laws play out in practice—how we structure the Intelligence Community's collection activities under FISA to respond to these changes in a way that remains faithful to our democratic values.

[Read More](#)

- - [#ODNI](#)
  - [#Robert Litt](#)
  - [#FISA](#)
  - [#Section 702](#)
  - [#Section 215](#)
  - [#Metadata](#)
  - [#Business Records](#)
  - [#Congressional Oversight](#)
  - [#Judicial Oversight](#)
  - [#Presidential Oversight](#)
  - [#FISC](#)
  - [#Civil Liberties](#)
  - [#Speeches](#)
  - [#NSA](#)
  - [#speeches and interviews](#)
- [7 months ago](#)
- [1](#)
- [Permalink](#)

Share

Short URL

<http://tumblr.co/ZZQjsqrn>

[Twitter](#)[Facebook](#)[Pinterest](#)[Google+](#)



[Go to LinkPop-upView Separately](#)

## Hearing of the House Judiciary Committee Opening Statement of Mr. Robert S. Litt, General Counsel, ODNI on the Oversight of the Administration's Use of FISA Authorities

July 17, 2013

**ROBERT LITT:** Thank you, Mr. Chairman, Mr. Ranking Member. We appreciate your having this hearing. We think it's very important to correct some of the misimpressions that have been created about these activities, which, as the deputy attorney general explained, are entirely lawful and appropriate for protecting the nation. In the — in my opening statement, I'd like to make three related points about the Foreign Intelligence Surveillance Court.

[Read More](#)

- - [#ODNI](#)
  - [#Robert Litt](#)
  - [#NSA](#)
  - [#FISA](#)
  - [#FISC](#)
  - [#Section 702](#)
  - [#Congressional Oversight](#)
  - [#Executive Oversight](#)
  - [#Judicial Oversight](#)
  - [#testimony](#)
- [7 months ago](#)
- [Permalink](#)

Share

Short URL

<http://tumblr.co/ZZQjsqrn>

[Twitter](#)[Facebook](#)[Pinterest](#)[Google+](#)



[Go to LinkPop-upView Separately](#)

## Hearing of the House Judiciary Committee on Oversight of the Administration's Use of the Foreign Intelligence Surveillance Act (FISA) Authorities.

July 17, 2013

**Chaired by:** Representative Robert Goodlatte (R-VA)

**Witnesses:**

*James Cole, Deputy Attorney General, U.S. Department of Justice*

*John Inglis, Deputy Director, National Security Agency*

*Robert Litt, General Counsel, Office of Director of National Intelligence*

*Stephanie Douglas, Executive Assistant Director of the National Security Branch, Federal Bureau of Investigation*

**REPRESENTATIVE ROBERT GOODLATTE (R-VA):** Good morning. The Judiciary Committee will come to order, and, without objection, the chair is authorized to declare recesses of the committee at any time. We welcome everyone to this morning's hearing on oversight of the administration's use of FISA authorities, and I'll begin by recognizing myself for an opening statement.

Today's hearing will examine the statutory authorities that govern certain programs operated under the Foreign Intelligence Surveillance Act, or FISA. Since the unauthorized public release of these programs, many members of Congress and their constituents have expressed concern about how these programs are operated and whether they pose a threat to American civil liberties and privacy. We have assembled two panels of witnesses today to help us explore these important issues.

[Read More](#)

- - [#James Cole](#)
  - [#Robert Litt](#)
  - [#Stephanie Douglas](#)
  - [#NSA](#)
  - [#ODNI](#)
  - [#FBI](#)
  - [#Congressional Oversight](#)
  - [#Edward Snowden](#)
  - [#Congressman Goodlatte](#)
  - [#FISA](#)
  - [#Section 215](#)
  - [#John Inglis](#)
  - [#testimony](#)
- [7 months ago](#)
- [Permalink](#)

Share

Short URL

<http://tumblr.co/ZZQjsqr1>[Twitter](#)[Facebook](#)[Pinterest](#)[Google+](#)[Go to LinkPop-upView Separately](#)

## DNI Clapper Letter on Misunderstandings Arising from his March 12th Appearance Before the Senate Select Committee on Intelligence

June 2, 2013

Dear Madam Chairman:

*Because of the charged rhetoric and heated controversy prompted by my response to a question Senator Ron Wyden asked me last March 12th during an unclassified threat assessment hearing before the Senate Select Committee on Intelligence, I am using this direct means of communication with you to set the record straight...*

[Download the DNI Letter](#)

- - [#DNI Clapper](#)
  - [#Senator Wyden](#)
  - [#metadata](#)
  - [#statement](#)
- [7 months ago](#)
- [Permalink](#)

Share

Short URL

<http://tumblr.co/ZZQjsqr1>[Twitter](#)[Facebook](#)[Pinterest](#)[Google+](#)[Go to LinkPop-upView Separately](#)

## Remarks by General Keith Alexander, Director, National Security Agency at AFCEA's Conference

June 28, 2013

**GENERAL KEITH ALEXANDER:** Can we turn (up ?) the lights? (Laughter.) So, you know, when I go home with a suntan today, my wife is going to say, so where were you? And I say, well, I had a few briefings down on the Hill and then up here. And you've got a burn. I can see — (inaudible). Hey, Charlie. Good to see you.

OK. Chaplain, let's give the chaplain a great round of applause. That was absolutely superb. (Applause.) So you know, as you were doing that, I'm thinking, I've got my four daughters, their husbands and 15 grandchildren coming in over the next several days. And when you talked about Gettysburg, I thought you were talking about them assaulting our house. It is.

Well, one, thanks for putting this on and to FC (ph). I think this has been a great opportunity to discuss some key issues for cyber. I think some of the stuff that we talked about in terms of interoperability, command and control, collaboration, the joint information environment, securing, operating and defending our networks, workforce developments in our times and cybersecurity awareness and education — absolutely superb. And for the teachers that are here, thanks. Thanks for what you're doing to help bring along the youth of America. Let's give them a big round of applause, folks. (Applause.)

Before I go into my cyber discussion, I thought it was important for me to address some of the media leaks that are going on, and I think it's important that you hear from me some of this. I want to make six key points.

[Read More](#)

- - [#NSA](#)
  - [#Keith Alexander](#)
  - [#Cybersecurity](#)
  - [#FISA](#)
  - [#Section 215](#)
  - [#Section 702](#)
  - [#Operation High Rise](#)
  - [#speeches and interviews](#)
- [7 months ago](#)
- [Permalink](#)

Share

Short URL

<http://tumblr.co/ZZQjsqr1>

[Twitter](#)[Facebook](#)[Pinterest](#)[Google+](#)

[Go to LinkPop-upView Separately](#)

## Newseum Special Program - NSA Surveillance Leaks: Facts and Fiction

June 25, 2013

**Welcome by:** James Duff, President, Newseum Introduction by: Laurel Bellows, President, American Bar Association

**Moderator:** Harvey Rishikof, Chair, American Bar Association Standing Committee on Law and National Security of the Advisory Committee

### Panelists:

-Robert Litt, General Counsel, Office of the Director of National Intelligence

-M.E (Spike) Bowman, Professorial Lecturer, The George Washington University; Former Deputy National Counterintelligence Executive

-Kate Martin, Director, Center for National Security Studies

-Gene Policinski, Executive Director, First Amendment Center

-Ellen Shearer, William F. Thomas Professor of Journalism and Co-Director, Medill School of Journalism, Northwestern University

-Joel Brenner, Former Inspector General, National Security Agency

-Former National Counterintelligence Executive

-Stewart Baker, Partner, Steptoe & Johnson; Former General Counsel, National Security Agency

JAMES DUFF: Good afternoon, everyone. I'm Jim Duff. I'm president here at the Newseum. And this is a very special day for us at the Newseum as we launch our Newseum Institute, officially tomorrow, but the first – very first program of our institute, which will be really devoted to civil education of the public about very important First Amendment issues, will be a collaboration of all of our educational outreach programs.

We are just delighted that today is the day that we're going to launch it here at the Newseum. And what better way and what better topic – nothing could be more topical or informative and important to us all as Americans as the current events involving NSA surveillance leaks. And it's our particular pleasure to co-host this event today with the American Bar Association – we're delighted that they have really put together a wonderful lineup of panelists who will be introduced to you shortly – the Medill School at Northwestern University and the McCormick Foundation are all co-hosts along with us here at the Newseum of this important discussion.

And before introducing you to the president of the American Bar Association, I do want to say a special thank you to my dear friend, Harvey Rishikof, who will be moderating the program this afternoon. Harvey was my predecessor in Chief Justice Rehnquist's chambers, in a position now called counselor to the chief justice. When Harvey and I held that position, it was called administrative assistant the chief justice. So they waited till we got out of there and then upgraded it to counselor, which sounds much more important and – the same job though, nonetheless. Harvey was very, very helpful to me in transition in the chief justice's chambers.

I think you will agree with – based on the turnout here this afternoon for this program, I think you'll agree with me as to how important this topic is to all of us as Americans. And we want to get right to it. So I do want to now introduce you to the president of the American Bar Association, Laurel Bellows, who has quite a distinguished career and heads the Bellows Law Group in Chicago and is a great leader of the American Bar Association.

Laurel, welcome. (Applause).

[Read More](#)

- - [#ODNI](#)
  - [#Robert Litt](#)
  - [#NSA](#)
  - [#Section 702](#)
  - [#Section 215](#)
  - [#FISA](#)
  - [#PRISM](#)
  - [#Civil Liberties](#)
  - [#speeches and interviews](#)
- [8 months ago](#)
- [Permalink](#)

Share

Short URL

<http://tumblr.co/ZZQjsqrn>

[Twitter](#)[Facebook](#)[Pinterest](#)[Google+](#)

[Go to LinkPop-upView Separately](#)

## General Keith Alexander, Director, National Security Agency on ABC "This Week" with George Stephanopoulos

June 23, 2013

**GEORGE STEPHANOPOULOS:** Let's get more on this now with our "This Week" exclusive, General Keith Alexander, the four-star general who heads the National Security Agency.

General Alexander, thank you so much for coming on this morning.

First off, this news that Snowden is apparently on his way to Moscow, perhaps to Venezuela.

To get to the point to Pierre was just making, do you understand why the system did not blink red in a way that that could prevent Snowden from leaving Hawaii in the first place with these secrets?

**GENERAL KEITH ALEXANDER:** No, I don't. It's clearly an individual who's betrayed the trust and confidence we had in him. This is an individual who is not acting, in my opinion, with noble intent.

And when you think about what our mission is — I want to jump into that because I think it reflects on the question you're asking.

You know, my first responsibility to the American people is to defend this nation. And when you think about defending the nation, let's look back at 9/11 and what happened.

The intel community failed to connect the dots on 9/11. And much of what we've done since then were to give us the capabilities — and this is the business record FISA, what's sometimes called Section 215, and the FAA 702, two capabilities that help us connect the dots.

The reason I bring that up is that these are two of the most important things, from my perspective, that helps us understand what terrorists are trying to do.

And if you think about that, what Snowden has revealed has caused irreversible and significant damage to our country and to our allies.

On Friday, we pushed to Congress over \$50 cases where these contributed to the understanding and, in many cases, disruption of terrorist plots.

And I brought with me a quote because I thought it was important to read this. As an Army officer, you know I can't read that good, but I'm going to try.

This was a report issued by the Senate Select Committee on Intelligence in 2012 in support of the reauthorization of the 2008 amendments to FISA.

And I quote: "Through four years of oversight, the committee has not identified a single case in which a government official engaged in willful effort to circumvent or violate the law."

What that means specifically is we take protecting our civil liberties and privacy as one of our key foundational values.

**MR. STEPHANOPOULOS:** And I want to ask more about that, General.

[Read More](#)

- - [#Keith Alexander](#)
  - [#NSA](#)
  - [#Edward Snowden](#)
  - [#FISA](#)
  - [#Section 702](#)
  - [#Section 215](#)
  - [#speeches and interviews](#)
- [8 months ago](#)
- [Permalink](#)

Share

Short URL

<http://tumblr.co/ZZQjsqr1>

[Twitter](#)[Facebook](#)[Pinterest](#)[Google+](#)



[Go to LinkPop-upView Separately](#)

**Acting Assistant Attorney General for national Security, John Carlin Speaking at the American Bar Association Homeland Security Law Institute**

**Remarks as Prepared for Delivery**

**June 20, 2013**

Good morning. I would like to thank the ABA Homeland Security Law Institute for inviting me today, and particularly Joe Whitley and Holly Hampton for putting on this program. They have brought together some very distinguished speakers. It is great to be a part of this event again this year.

Thanks also to all of you for being here. This audience is made up of experts from all corners of the national security world, and this event gives us all an opportunity to share knowledge, exchange views, and learn from one another.

**The Shifting Landscape**

We've seen changes in the nature of the threat landscape, and today I will discuss what those changes—and the government's response to them—mean for the roles and responsibilities of national security lawyers in the government.

[Read More](#)

- - [#DOJ](#)
  - [#FISA](#)
  - [#cybersecurity](#)
  - [#John Carlin](#)
  - [#FISC](#)
  - [#speeches](#)
  - [#speeches and interviews](#)
- [8 months ago](#)
- [1](#)
- [Permalink](#)

Share



Short URL

<http://tumblr.co/ZZQjsqsc>[Twitter](#)[Facebook](#)[Pinterest](#)[Google+](#)[Go to LinkPop-upView Separately](#)

## Hearing of the House Permanent Select Committee on Intelligence on How Disclosed NSA Programs Protect Americans, and Why Disclosure Aids Our Adversaries

June 18, 2013

**Chaired by:** Representative Michael J. "Mike" Rogers (R-MI)

### Witnesses:

General Keith Alexander, Director, National Security Agency;

James Cole, Deputy Attorney General

John Chris Inglis, Deputy Director, National Security Agency

Sean Joyce, Deputy Director, Federal Bureau of Investigation

Robert Litt, General Counsel, Office of the Director of National Intelligence

**REPRESENTATIVE MICHAEL J. "MIKE" ROGERS (R-MI):** Well, the committee will come to order. General Alexander, Deputy Attorney General Cole, Chris Inglis, Deputy Director Joyce and Mr. Litt, thank you for appearing before us today, especially on short notice. The ranking member and I believe it is important to hold an open hearing today, and we don't do a tremendous amount of those, to provide this House and the public with an opportunity to hear directly from you how the government is using the legal authorities that Congress has provided to the executive branch since the terrorist attacks of September 11th, 2001.

I'd also like to recognize the hard work of the men and women of the NSA and the rest of the intelligence community, who work day in and day out to disrupt threats to our national security. People at the NSA in particular have heard a constant public drumbeat about a laundry list of nefarious things they are alleged to be doing to spy on Americans, all of them wrong; the misperceptions have been great, yet they keep their heads down and keep working every day to keep us safe.

And General Alexander, please convey our thanks to your team for continuing every day, despite much misinformation about the quality of their work, and thank them for all of us for continuing to work to protect America.

I also want to take this moment to thank General Alexander, who has been extended as national security adviser in one way or another three different times. That's a patriot. This is a very difficult job at a very difficult time in our history. And for the general to accept those extensions of his military service to protect this nation, I think with all of the, again, misinformation out there, I want to thank you for that. Thank you for your patriotism. Thank you for continuing to serve to protect the United States, again in — you have that great burden of knowing lots of classified information you cannot talk publicly about. I want you to know, thank you, on behalf of America for your service to your country,

The committee has been extensively briefed on these efforts over a regular basis as a part of our ongoing oversight responsibility over the 16 elements of the intelligence community and the national intelligence program. In order to fully understand intelligence collection programs, most of these briefings and hearings have taken place in classified settings. Nonetheless, the collection efforts under the business records provision in Section 702 of the Foreign Intelligence Surveillance Act are legal, court-approved and subject to an extensive oversight regime.

We look forward to hearing from all of the witnesses about the extensive protections and oversight in place for these programs. General Alexander, we look forward to hearing what you're able to discuss in an open forum about how the data that you obtain from providers under court order, especially under the business records provision, is used. And Deputy Attorney General Cole, we look forward to hearing more about the legal authorities themselves and the state of law on what privacy protections Americans have in these business records.

[Read More](#)

- - [#NSA](#)
  - [#DOJ](#)
  - [#FBI](#)
  - [#ODNI](#)
  - [#Keith Alexander](#)
  - [#James Cole](#)
  - [#John Inglis](#)
  - [#Sean Joyce](#)
  - [#Robert Litt](#)
  - [#Congressman Rogers](#)
  - [#business records](#)
  - [#FISA](#)
  - [#FISC](#)
  - [#Section 702](#)
  - [#Section 215](#)
  - [#Patriot Act](#)
  - [#Executive Order 12333](#)
  - [#testimony](#)
- [8 months ago](#)
- [Permalink](#)

Share

Short URL

<http://tumblr.co/ZZQjsqrn>[Twitter](#)[Facebook](#)[Pinterest](#)[Google+](#)

Page 8 of 10

? [Newer](#) • [Older](#) ?

## About

Created at the direction of the President of the United States, [IC ON THE RECORD](#) provides immediate, ongoing and direct access to factual information related to the lawful foreign surveillance activities carried out by the U.S. Intelligence Community.

Follow [@IconTheRecord](#)

---

### CONTENT CATEGORIES:

- - [Official Statements](#)
- - [Declassified Documents](#)
- - [Testimony](#)
- - [Speeches & Interviews](#)
- - [Fact Sheets](#)
- - [Oversight & Compliance](#)
- - [Video](#)

---

### HOT TOPICS:

- - [Civil Liberties](#)
- - [FISA](#)
- - [FISC](#)
- - [Section 215](#)
- - [Section 702](#)

---

### IN THEIR OWN WORDS:

- - [James Clapper, DNI](#)
- - [Keith Alexander, Dir. NSA](#)
- - [Robert Litt, GC, ODNI](#)
- - [John Inglis, Dep. Dir., NSA](#)
- - [Alex Joel, CLPO, ODNI](#)

Search this site



This website is maintained by the [Office of the Director of National Intelligence](#).